

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>CLARENCE ABNEY,</b>	:	
<b>Plaintiff</b>	:	<b>No. 1:13-cv-01418</b>
	:	
<b>v.</b>	:	<b>(Judge Kane)</b>
	:	
<b>CALEB YOUNKER, et al.,</b>	:	<b>(Magistrate Judge Schwab)</b>
<b>Defendants</b>	:	

**ORDER**

**AND NOW**, on this 4th day of February, 2015, **IT IS HEREBY ORDERED THAT:**

1. Magistrate Judge Schwab's Report and Recommendation (Doc. No. 95) is **ADOPTED**;
2. Plaintiff's objections (Doc. No. 97) are **OVERRULED**;
3. Defendants' motion for summary judgment (Doc. No. 52) is **GRANTED IN PART** and **DENIED IN PART**;
4. Counts III and V of Plaintiff's Complaint (Doc. No. 1) are **DISMISSED WITH PREJUDICE**; and
5. The above-captioned action is referred back to Magistrate Judge Schwab for further proceedings.

s/ Yvette Kane  
Yvette Kane, District Judge  
United States District Court  
Middle District of Pennsylvania